

# The Gazette of India

## EXTRAORDINARY PART II—Section 3—Sub-section (ii) PUBLISHED BY AUTHORITY

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No. 175] NEW DELHI, FRIDAY, DECEMBER 4, 1959/AGRAHAYANA 13, 1881

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### MINISTRY OF COMMERCE AND INDUSTRY

#### ORDER

*New Delhi, the 4th December 1959*

**S.O. 2698.**—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following amendments in the Non-ferrous Metals (Control) Order, 1958:—

1. **Short title.**—This Order may be called the Non-ferrous Metals (Control) Amendment Order, 1959.

2. In the Non-ferrous Metals (Control) Order, 1958, for clauses 4 and 4A the following clauses shall be substituted, namely:—

“4. **Acquisition of non-ferrous metal by permit only.**—(1) No person shall acquire or agree to acquire any non-ferrous metal except under and in accordance with a permit issued in this behalf by the Controller.

(2) Every permit issued under this clause shall be valid for a period of two months and may be renewed as often as occasion may require.

(3) The quantities of any non-ferrous metal to be released at any one time to a person under a permit shall ordinarily be not less than the quantity required by him for a month but the Controller may issue larger quantities of the metal at any one time having regard to the stock available for distribution and the requirements of the person concerned.

(4) In issuing any permit under this clause in respect of any non-ferrous metal the Controller shall have regard to the following, namely,—

(a) the requirement for a period of six months of industries which are scheduled industries within the meaning of the Industries (Development and Regulation) Act, 1951 (85 of 1951), based on the consumption in the said industries of the non-ferrous metal in the previous year or years;

(b) the requirements of small-scale industries in each State, based on the recommendations of the Development Commissioner, Small Scale Industries, Government of India, or of the Director of Industry of the State;

(c) the quantity of the non-ferrous metal imported and available for distribution.

- 4A. Prohibition against sale, fabrication and conversion of non-ferrous metal.**—(1) No person shall sell or otherwise transfer any non-ferrous metal except to a person who holds a permit under clause 4.
- (2) No person who has acquired any non-ferrous metal shall fabricate it or convert it into any alloy except under and in accordance with a permit issued in this behalf by the Controller; and in issuing any such permit the Controller shall have regard to the question whether the person concerned requires it for his own industry (whether a scheduled industry or a small-scale industry) and to the principles specified in clause 4, so far as they may be applicable".

[No. F.2(3)Met/58.]

R. V. RAMAN, Jt. Secy